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FISH & NEAVE

875 THIRD AVENUE
NEW YORK, N. Y. 10022

FISH RICHARDSON & NEAVE
NEW YORK
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TELEPHONE: (212) 715-0600
TELEX: 14-8367
CABLE ADDRESS: FISHNEAVE
TELECOPIER (212) 715-0674

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September 17, 1985

BY HAND

Lee Pollak, Esq.
Senior Assistant General Counsel
Philip Morris Incorporated
120 Park Avenue
New York, New York 10017

Philip Morris
(Barclay Patents - Switzerland)

Dear Lee:

I enclose a copy of an opinion letter which I received from Dr. Thomann. You will see that Dr. Thomann needs input from a technical expert in order to reach a conclusion with respect to possible infringement of the Osmalov and Filosa patents. You will also note that Dr. Thomann has not examined the validity of either the Osmalov or Filosa patents.

If you are still interested in the possibility of bringing an action in Switzerland, it appears to me that Dr. Thomann should seek and obtain the technical advice he needs. We can then determine whether or not to proceed with an opinion on the validity of the patents.

Please let me know how you wish to proceed.

Sincerely yours,

Ed Bailey

W. Edward Bailey

WEB/lms
Enclosure

cc: Arthur I. Palmer, Jr., Esq.
(with enclosure)

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